

Title SR1. Rules Governing Organization and Management of the Senate

Chapter 1 Adoption of Rules and Practices

SR1-1-101 Adoption, amendment, or suspension of Senate Rules.

- (1) The Senate shall adopt Senate Rules at the beginning of each legislative session by a constitutional two-thirds vote.
- (2) Except as provided in this Subsection (2) and in Subsection (3), after the initial adoption of Senate Rules, additional rules may be adopted or existing rules may be suspended, amended, or repealed by a majority vote, except rules governing motions for lifting tabled legislation from committee, which require a two-thirds vote to adopt, suspend, amend, or repeal.
- (3) If the suspension of any Senate Rule is governed by the Utah Constitution or Utah statutes, the Senate may suspend that rule only as provided by that constitutional or statutory provision.

SR1-1-102 Constitutional motion.

At the beginning of each annual general or special session of the Senate, before the reading of any piece of legislation, the Senate Rules Committee chair shall make the following motion:

"Mr. (Madam) President, as allowed by the Utah Constitution and the Joint Rules of the Legislature, I move that the Senate continue its practice of reading only the short title of bills and resolutions as they are introduced or considered on a Senate calendar and not read the long title of the bills and resolutions unless a majority of the Senate directs the reading of the long title, short title, or both of any House or Senate bill or resolution."

SR1-1-103 Mason's Manual of Legislative Procedure -- Reference.

In addition to Senate Rules and other applicable legislative rules, the presiding officer may use Mason's Manual of Legislative Procedure as a reference when a question arises about parliamentary practice, legislative process, or legislative procedure that is not resolved by reference to legislative rules.

Chapter 2 Initial Organization

SR1-2-101 Calling the Senate to order.

On the first day of each annual general session of the Legislature during odd-numbered years, the president-elect shall designate a person to call the Senate to order and preside until the senators have taken the oath of office and elected a president.

Chapter 3 President of the Senate

SR1-3-101 Election of president.

- (1) The Senate shall elect a president to perform the duties established by this chapter.
- (2)
 - (a) Following a regular general election and before January 1 of odd-numbered years, the Senate majority caucus shall select a president-elect.
 - (b) Beginning January 1 of odd-numbered years, the senator elected by the majority caucus shall serve as president-elect and perform the duties of the president until the Senate elects a president as required by Subsection (1).

SR1-3-102 Duties of the president.

- (1) The general duties of the president are to:
 - (a) assign responsibilities to and supervise the officers and employees of the Senate;
 - (b) assign places and determine access for news media representatives;
 - (c) call the Senate to order at the time scheduled for convening, and proceed with the daily order of business;
 - (d) announce the business before the Senate in the order that it is to be acted upon;
 - (e) receive and submit all motions and proposals presented by senators;
 - (f) put to a vote all questions that arise in the course of proceedings, and announce the results of the vote;
 - (g) enforce the Senate Rules governing debates;
 - (h) enforce observance of order and decorum;
 - (i) inform the Senate on any point of order or practice;
 - (j) receive and announce to the Senate any official messages and communications;
 - (k) sign all acts, orders, and proceedings of the Senate;
 - (l) appoint the members of committees; and
 - (m) represent the Senate, declaring its will and obeying its commands.
- (2) The president shall:
 - (a) sign, or authorize a designee to sign, all requisitions on the Division of Finance to pay Senate expenses; and
 - (b) give final approval of all expenditure requests as authorized by the majority and minority leaders of the Senate, including compensation and reimbursement for expenses for in-state and out-of-state travel on legislative business.

SR1-3-103 Temporary presiding officer in president's absence.

- (1)
 - (a) The president may call a senator to the chair as president pro tempore.
 - (b) The president pro tempore's appointment terminates when directed by the president or when the Senate adjourns, whichever comes first.
- (2) The president pro tempore, and each senator authorized to preside by the president, has all the powers of the president while presiding.

Chapter 4
Other Senate Officers

Part 1

Secretary of the Senate

SR1-4-101 Appointment of secretary of the Senate.

Before the annual general session of the Legislature is convened, the president or president-elect of the Senate shall appoint a person to serve as secretary of the Senate.

SR1-4-102 Duties of the secretary of the Senate.

The general duties of the secretary of the Senate are to:

- (1) act as chief administrative officer of the Senate, subject to direction by the president;
- (2) certify and transmit legislation to the Senate and inform the Senate of all House action;
- (3) assist in the preparation of the Senate journal and certify it as an accurate reflection of Senate action;
- (4) make the following technical corrections to legislation either before or following final passage:
 - (a) correct the spelling of words;
 - (b) correct the erroneous division and hyphenation of words;
 - (c) correct mistakes in numbering sections and their references;
 - (d) capitalize words or change capitalized words to lower case;
 - (e) change numbers from words to figures or from figures to words;
 - (f) underscore or remove underscoring in legislation without a motion to amend; or
 - (g) any combination of Subsections (4)(a) through (f);
- (5) modify the long title of a piece of legislation to ensure that the long title accurately reflects any changes to the legislation made by amendment or substitute;
- (6) supervise all Senate personnel during the session and assign them duties and responsibilities;
- (7) keep a record of the attendance of all Senate employees and ensure that any in-session employee who is absent may not be paid without the written consent or subsequent approval of the president;
- (8) act as custodian of all official documents;
- (9) receive all numbered legislation from the Office of Legislative Research and General Counsel;
- (10) record the number, title, sponsor, each action, and final disposition of each piece of legislation on the back of the legislation;
- (11) prepare and distribute the daily order of business each day;
- (12) advise the president on parliamentary procedure, constitutional requirements, Joint Rules, and Senate Rules;
- (13) read, or cause to be read, the title of all bills and other materials as requested by the president;
- (14) receive committee reports and present them to the Senate;
- (15) assist with amendments to legislation;
- (16) record votes and present the results to the president;
- (17) transmit all enrolled Senate bills and Senate concurrent resolutions to the governor;
- (18) maintain all calendars for the Senate floor;
- (19) respond to inquiries from legislators, government agencies, and members of the public regarding Senate history, activities, and legislative action; and
- (20) represent the Senate at schools, organizations, clubs, and other civic groups when requested by the president.

Part 2

Sergeant-at-Arms

SR1-4-201 Appointment of sergeant-at-arms.

Before the annual general session of the Legislature is convened, the president or president-elect of the Senate shall appoint a person to serve as sergeant-at-arms of the Senate.

SR1-4-202 Duties of the sergeant-at-arms.

The sergeant-at-arms and the employees under the sergeant's direction shall:

- (1) maintain security;
- (2) enforce the Senate Rules and other legislative rules at the direction of the presiding officer or the Senate; and
- (3) provide other service as requested by the secretary of the Senate or the president.

Chapter 5

Schedule for the Senate

Part 1

Convening and Daily Schedule

SR1-5-101 Hour of meeting.

The Senate shall meet at 10 a.m. daily except Saturdays and Sundays, unless otherwise announced by the presiding officer.

SR1-5-102 Roll call -- Quorum.

- (1) The presiding officer or the presiding officer's designee shall:
 - (a) take a roll call of senators at the beginning of each day's session; and
 - (b) ensure that the names of those present and absent are recorded in the journal.
- (2)
 - (a) The Senate may not begin Senate business until a constitutional majority of senators are present as a quorum.
 - (b) Notwithstanding Subsection (2)(a), less than a majority of senators may:
 - (i) convene each day; and
 - (ii) compel the attendance of absent members.

SR1-5-103 Daily order of business.

- (1) The daily order of business is:
 - (a) call to order by the president or the president's designee;

- (b) prayer and pledge of allegiance;
 - (c) roll call;
 - (d) announcement of excused absences and whether or not a quorum is present;
 - (e) communications from the governor;
 - (f) communications from the House:
 - (i) bills for signature of the president;
 - (ii) bills for consideration; and
 - (iii) bills for reconsideration of House amendments;
 - (g) reference of bills from the president:
 - (i) bills assigned to standing committees; and
 - (ii) bills placed on second reading calendar;
 - (h) reports from standing committees:
 - (i) bills placed on the second reading calendar;
 - (ii) bills placed on the consent calendar; and
 - (iii) bills sent back to the secretary of the Senate;
 - (i) reports of special committees, including conference committees;
 - (j) introduction of legislation given to the secretary of the Senate:
 - (i) bills referred by the Senate Rules Committee for assignment by the president; and
 - (ii) bills placed on second reading calendar;
 - (k) unfinished business;
 - (l) consideration of legislation on consent calendar;
 - (m) special orders of business;
 - (n) consideration of legislation on the third reading calendar;
 - (o) consideration of bills on second reading calendar; and
 - (p) miscellaneous business.
- (2) With the approval of a constitutional majority of senators, the Senate may, at any time, proceed out of order to any business.
- (3) The presiding officer shall decide all questions of priority of Senate business without debate.

Part 2

Guest Speakers and Executive Sessions

SR1-5-201 Special order of business -- Time certain.

- (1)
- (a) A senator, on the senator's own initiative or upon recommendation from the president, may make a motion that a piece of legislation become a special order of business on the time certain calendar.
 - (b) If the motion is approved by a majority of the members present, the secretary of the Senate shall place the legislation on the time certain calendar.
- (2) At the time set for consideration of the legislation, the presiding officer shall place the legislation before the Senate.

SR1-5-202 Unfinished business.

When the Senate has unfinished business at the time of recess or adjournment, that unfinished business has priority on the daily order of business for the next legislative day.

Part 3

Miscellaneous Requirements Relating to the Senate Schedule

Chapter 6

Impeachment

SR1-6-101 Impeachment.

If the House of Representatives submits articles of impeachment to the Senate to begin an impeachment trial, the Senate shall adopt, by majority vote, policies establishing procedures for, and governing the conduct of, the impeachment process.

Chapter 7

Commending or Expressing Condolences to Utah Citizen

SR1-7-101 Commendation or condolence citations -- Types of citations -- Use of citations.

(1) As used in this chapter:

(a)

(i) "Citation" means a certificate issued to honor or commend an individual or group, or to express condolences to the family of a deceased individual.

(ii) "Citation" includes a legislator citation, a Senate citation, and a Utah Legislature citation.

(b) "Legislator citation" means a citation issued on behalf of an individual senator.

(c) "Senate citation" means a citation issued on behalf of the Senate.

(d) "Utah Legislature citation" means a citation issued on behalf of both houses of the Legislature.

(2) Senators shall use a citation to express the commendation or condolence of a senator, the Senate, or the Legislature.

SR1-7-102 Obtaining a legislator citation.

(1) With the approval of the presiding officer, a senator may request that the secretary of the Senate prepare a citation for the senator's own signature.

(2) A legislator citation does not require any floor action by the Senate.

SR1-7-103 Obtaining a Senate citation.

(1) During any legislative session, a senator may:

(a) request that the secretary of the Senate prepare a citation for the senator's signature; and

- (b) after making and receiving permission for personal privilege, make a motion on the floor of the Senate to:
 - (i) approve the citation; and
 - (ii) authorize the president to sign the citation on behalf of the Senate.
- (2) When the Legislature is not in session, a senator may request a citation for the sponsor's and the president's signature.

SR1-7-104 Obtaining a Utah Legislature citation.

- (1) During any legislative session, a senator may:
 - (a) request that the secretary of the Senate prepare a citation for the senator's signature; and
 - (b) after making and receiving permission for personal privilege, make a motion of the floor of the Senate to:
 - (i) approve the citation;
 - (ii) authorize the president to sign the citation on behalf of the Senate; and
 - (iii) present the proposed citation to the House for its approval.
- (2) When the Legislature is not in session, a senator may request a citation for the sponsor's, the president's, and the speaker's signature.

Chapter 8 Postage Allowance

SR1-8-101 Senator postage allowance.

- (1) Each senator may request 20 first-class postage stamps from Senate staff at the beginning of the year.
- (2) In addition to the postage stamps, each senator may deposit:
 - (a) up to five letters per day into the Senate mail system during the annual general session; and
 - (b) up to 10 letters per month into the Senate mail system during each interim period.
- (3) Upon request from an individual senator, the president may grant an additional postage allowance.

Chapter 9 Informal Poll on United States Senate Candidates

SR1-9-101 Informal poll on United States Senate candidates.

- (1) In a year where there is an election for a seat in the United States Senate, the Senate shall conduct an informal poll of their members to determine each member's preferred candidate for each seat that is up for election.
- (2) The poll required by this section shall:
 - (a) be conducted and completed within 30 days of the last day for filing for the office of United States Senator, as provided in Utah Code Section 20A-9-202;
 - (b) be voluntary on the part of each senator;
 - (c) be administered by the legislative auditor general, who shall:

- (i) establish procedures and conduct the poll in a manner that assures that the poll is conducted fairly and accurately; and
 - (ii) act subject to the direction of the Audit Subcommittee;
 - (d) have a ballot containing the name of each person who has declared candidacy for the seat as of the conclusion of the last day for filing plus an option to select "none of the above"; and
 - (e) be conducted by secret ballot.
- (3) Immediately after conducting the poll, the legislative auditor general shall make the results of the poll public by listing, for each seat that is up for election, the total number of votes cast for each candidate.

Title SR2. Rules Governing Attendance, Behavior, and Decorum in the Senate

Chapter 1 Attendance

SR2-1-101 Senators shall be present.

A senator shall be present within the Senate chamber during a session of the Senate, unless excused or unavoidably absent.

SR2-1-102 Absent senators.

If a quorum of the Senate is not present at the time the Senate is scheduled to convene, the presiding officer shall direct the sergeant-at-arms to:

- (1) find sufficient absent senators to make a quorum for the transaction of business; and
- (2) escort them to the chamber.

Chapter 2 Decorum

SR2-2-201 President to maintain order.

The president or presiding officer shall maintain order and decorum during sessions of the Senate.

SR2-2-202 Disorderly conduct in Senate.

The president or presiding officer may order the Senate areas or gallery cleared if a disturbance occurs.

SR2-2-203 Smoking not permitted.

- (1) As provided in Utah Code Title 26, Chapter 38, Utah Indoor Clean Air Act, a person may not smoke in a building on capitol hill.

- (2) The sergeant-at-arms shall enforce this rule in the areas controlled by the Senate.

SR2-2-204 Impugning motives of a senator.

- (1) A senator may not impugn the motives of any other senator either on the floor of the Senate or in committee.
- (2) A senator who believes that the motives of any senator has been impugned by another senator may raise a point of order.

SR2-2-205 Movement out of and within the Senate chamber.

- (1) When the president or presiding officer is presenting a question, a senator may not leave the Senate chamber.
- (2) When a senator is speaking, no person may walk between the senator and the president or presiding officer.

Chapter 3 Conflicts of Interest

SR2-3-101 Reporting conflicts of interest.

Immediately preceding or during the roll call, a senator may make a brief statement explaining any conflict of interest.

Chapter 4 General Rules Governing the Senate Floor

SR2-4-101 Admittance to the Senate chamber.

- (1)
 - (a) While the Senate is convened in annual general session or special session and except as provided in Subsection (1)(b), only legislators, legislative officers and employees, professional staff, former legislators who are not registered as lobbyists, legal spouses of legislators, interns, and persons invited by senators are allowed in the Senate chamber, halls, and lounge.
 - (b) The president of the Senate may deny access to the Senate chamber, halls, and lounge to any person, other than a legislator, if the person uses that access to influence legislative decisions.
- (2)
 - (a) A senator or the senator's intern shall accompany each visitor in the chamber, lounge, or hallways and is responsible for that visitor.
 - (b) After the visit, the senator or the senator's intern shall ensure that the visitor leaves the chamber, lounge, or hallway.

SR2-4-102 Senator's chairs not to be occupied by others.

When the Senate is convened in session, no one other than the president or a senator may occupy the chair or use the desk of the president or any senator.

SR2-4-103 Lobbying prohibited.

Lobbying by non-legislators is not permitted in the Senate chamber.

SR2-4-104 Recognition of visiting groups and individuals.

- (1) The presiding officer may recognize visiting groups and individuals.
- (2) A senator who requests and receives personal privilege may introduce visiting groups or individuals.

SR2-4-105 News media.

- (1)
 - (a) Subject to Subsection (1)(b), news media with Senate press credentials shall be admitted to the Senate chamber, halls, lounge, and committee rooms.
 - (b) In order to be admitted to the Senate chamber, news media shall comply with the dress requirements and other rules of decorum established in the Senate Handbook.
 - (c)
 - (i) News media without Senate press credentials may be admitted to the Senate chamber only when the Senate is not convened in formal session.
 - (ii) News media with Senate press credentials who do not meet the requirements of Subsection (1)(b) may be admitted to the Senate chamber only when the Senate is not convened in formal session.
- (2) With permission, the news media may conduct and record interviews in the Senate lounge, halls, or available committee rooms.
- (3) The news media shall also comply with the other provisions in SR2-4-102 and SR2-4-103.

SR2-4-106 Executive sessions.

- (1) A senator may make a motion to convene the Senate in executive session.
- (2) When a motion for executive session is adopted, the presiding officer shall direct the sergeant-at-arms to close the Senate chamber doors.
- (3) The president may require all persons, except the senators, secretary, reading clerk, docket clerk, and sergeant-at-arms to leave the Senate chamber.
- (4) During the discussion, every person present shall remain within the Senate chamber.
- (5) During and after conclusion of the executive session, each person who was present in the executive session shall keep all matters discussed in executive session confidential.

Chapter 5
Rules Governing Sponsoring Legislation

**SR2-5-101 Senators may request and sponsor legislation -- Substituting a sponsor --
Withdrawing as a cosponsor.**

- (1) A senator may request and sponsor legislation as provided in Joint Rules Title 4, Bills and Resolutions.
- (2)
 - (a) After a piece of legislation has been introduced, the chief Senate sponsor of the legislation may withdraw from sponsoring the legislation by:
 - (i) finding another senator to act as chief sponsor of the legislation; and
 - (ii) filing a substitution of sponsorship form with the secretary of the Senate before final passage of the legislation in the Senate.
 - (b) A senator seeking to withdraw as the chief sponsor need not obtain permission from the Senate to withdraw.
- (3)
 - (a) Before final passage of the legislation in the Senate, a senator cosponsor of a bill may withdraw as a cosponsor of that legislation.
 - (b) A senator seeking to withdraw as a cosponsor need not:
 - (i) obtain permission from the Senate to withdraw; or
 - (ii) provide a substitute cosponsor for the legislation.

**Title SR3. Rules Governing the Rules Committee
and the Standing Committees of the Senate**

Chapter 1

Senate Rules Committee and Other Special Committees

Part 1

Senate Rules Committee

SR3-1-101 Senate Rules Committee -- Appointment -- General responsibilities.

- (1) The president shall appoint members of the Senate to serve on the Senate Rules Committee.
- (2) The Senate Rules Committee shall perform the following functions as further elaborated in this part:
 - (a) when assigned by the president, receive introduced legislation from the Senate and recommend that they be assigned to a Senate standing committee or to the Senate second or third reading calendar;
 - (b) after the Senate has sifted -- sent legislation on the second and third reading calendars back to the Senate Rules Committee -- make recommendations to the Senate about which legislation should be assigned to the third reading calendar and the order in which it should be heard; and
 - (c) function as a standing committee or interim committee when reviewing Joint Rules, Interim Rules, or Senate Rules.

SR3-1-102 Senate Rules Committee -- Assignment duties.

- (1)
 - (a) Subject to Subsection (1)(b), the presiding officer shall submit all legislation introduced in the Senate to the Senate Rules Committee.
 - (b) The president may direct legislation to be sent directly to a standing committee or to one of the Senate floor calendars.
- (2) For all legislation not specified in SR3-1-103 that is referred to the Senate Rules Committee, the committee shall:
 - (a) examine the legislation for proper form, including fiscal note and committee note, if any; and
 - (b) either:
 - (i) hold the legislation; or
 - (ii) refer legislation to the Senate with a recommendation that:
 - (A) the legislation be referred to a standing committee for consideration;
 - (B) the legislation be placed directly onto the second reading calendar;
 - (C) the legislation be read the second time and placed onto the consent calendar; or
 - (D) during the last week of the legislative session, the legislation be read the second time and placed on the third reading calendar.
- (3) In carrying out its functions and responsibilities under this rule, the Senate Rules Committee may not amend, substitute, or table legislation without the written consent of the sponsor.
- (4) If the chair of the Senate Rules Committee receives a summary report from the Occupational and Professional Licensure Review Committee related to newly regulating an occupation or profession within the two calendar years immediately preceding the session in which a piece of legislation is introduced related to the regulation by the Division of Occupational and Professional Licensing of that occupation or profession:
 - (a) the chair of the Senate Rules Committee shall ensure that the Senate Rules Committee is informed of the summary report before the Senate Rules Committee takes action on the legislation; and
 - (b) if the Senate Rules Committee refers the legislation to the Senate as provided in Subsection (2)(c):
 - (i) the Office of Legislative Research and General Counsel shall make the summary report reasonably available to the public and to legislators; and
 - (ii) if the legislation is referred to a standing committee, the Senate Rules Committee shall forward the summary report to the standing committee.

SR3-1-103 Senate Rules Committee -- Prioritization duties.

- (1) The Senate Rules Committee shall:
 - (a) make recommendations that prioritize each piece of legislation for committee and floor action and review; and
 - (b) update the priority in Subsection (1)(a) as necessary for the calendar.
- (2) The Senate Rules Committee may recommend a time certain for floor consideration of any legislation when it is reported out of the Senate Rules Committee, or at any other time.

SR3-1-104 Senate Rules Committee -- Calendaring interim committee legislation.

- (1) The presiding officer shall have a piece of interim committee legislation that was approved by a majority vote of the interim committee members read for the first time and referred to the Senate Rules Committee for calendaring.
- (2)

- (a) The Senate Rules Committee may refer the legislation to the calendar without standing committee review, or it may recommend that the legislation be referred to a standing committee.
- (b) If the Senate Rules Committee recommends that the legislation be placed on the second or third reading calendar without standing committee review, any three senators may, within three working days, request that the legislation be reviewed by a standing committee before the legislation's consideration on the floor.
- (c) If a request by three senators is received, the presiding officer may assign the bill to a standing committee.

Part 2

Special Committees and Task Forces

SR3-1-201 Special committees.

- (1) The Senate may form special committees, including task forces, by motion or resolution.
- (2) The president shall appoint the members of those special committees.

Chapter 2

Senate Standing Committees

Part 1

General Provisions

SR3-2-101 Definitions.

As used in this chapter, "standing committee chair" means the chair of a standing committee or the chair's designee.

SR3-2-102 Standing committee review required -- Exceptions.

- (1) The Senate may not pass a bill, joint resolution, or concurrent resolution during the annual general session unless:
 - (a) a Senate standing committee has reviewed the legislation; and
 - (b) the Senate standing committee has given a favorable recommendation to the legislation.
- (2) This rule does not apply to:
 - (a) a resolution regarding legislative rules or legislative personnel;
 - (b) legislation that has been approved by an interim committee;
 - (c) the revisor's statute;
 - (d) if the legislation was reviewed and approved by the Executive Appropriations Committee, legislation that:
 - (i) exclusively appropriates money;
 - (ii) amends Utah Code Title 53A, Chapter 17a, Minimum School Program Act;
 - (iii) amends Utah Code Title 67, Chapter 22, State Officer Compensation; or

- (iv) authorizes the issuance of general obligation or revenue bonds.

SR3-2-103 Standing committee review of legislation with a fiscal impact.

Except as provided in SR3-2-102, a standing committee in one or both houses shall review a piece of legislation before the legislation is held in the opposite house because of its fiscal impact.

SR3-2-104 Standing committees prohibited from meeting while the Senate is in session -- Exceptions.

A standing committee may not meet while the Senate is in session unless:

- (1) the chair receives permission to meet from the president; or
- (2) a floor motion for the committee to meet while the Senate is in session is approved by a majority of the senators present.

Part 2
Organization of Senate Standing Committees

SR3-2-201 Standing committees.

- (1) The president shall appoint the following standing committees:
 - (a) Business and Labor;
 - (b) Economic Development and Workforce Services;
 - (c) Education;
 - (d) Government Operations and Political Subdivisions;
 - (e) Health and Human Services;
 - (f) Judiciary, Law Enforcement, and Criminal Justice;
 - (g) Natural Resources, Agriculture, and Environment;
 - (h) Revenue and Taxation;
 - (i) Rules; and
 - (j) Transportation and Public Utilities and Technology.
- (2) The Senate members of the Retirement and Independent Entities Committee created in Utah Code Section 63E-1-201 are a Senate standing committee.

SR3-2-202 Committee chair and vice chair.

- (1) The first member named on a committee is the chair of the committee.
- (2) The chair of the committee may designate a vice chair, pro tempore.

SR3-2-203 Committee attendance -- Quorum.

- (1) Except as provided in Subsection (2), a majority of a standing committee is a quorum for the transaction of business.
- (2) In determining whether or not a quorum is present, the president, majority leader, majority whip, assistant majority whip, Senate Rules Committee chair, Executive Appropriations Committee chair, minority leader, minority whip, assistant minority whip, and the fourth member

of leadership from the minority party are not counted in determining a quorum for a standing committee, except during the time that the senator is present at the meeting.

Part 3

Notice and Agendas for Senate Standing Committees

SR3-2-301 Chair to set agenda.

The standing committee chair shall:

- (1) set the agenda for a standing committee meeting; and
- (2) ensure that legislation or other business referred to the committee is considered within a reasonable time.

SR3-2-302 Notice of standing committee meetings.

- (1) With the exception of any conference committee, the chair may call committee meetings after giving not less than 24 hours public notice as required under Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (2) The standing committee chair shall:
 - (a) notify the sponsor of legislation pending before the committee of the time and place of the committee meeting in which the legislation will be considered; and
 - (b) invite the chief Senate sponsor, chief House sponsor, or both sponsors to present the legislation to the committee before the committee acts on it.

SR3-2-303 Legislation scheduled for time certain on the Senate floor has priority in committee.

If legislation assigned to a standing committee has been placed on the Senate floor's time certain calendar, the standing committee chair shall place that legislation on an agenda for the standing committee's review so that the committee's report on the legislation is received by the floor before the time set for consideration of the legislation.

SR3-2-304 Agenda to include tabled legislation.

- (1) A standing committee chair shall ensure that the standing committee's agenda lists the number, title, and sponsor of any legislation tabled by the standing committee at the last standing committee meeting.
- (2) As provided in SR3-2-408, the standing committee may lift the tabled legislation from the table only at the committee meeting held following the one at which it was tabled.

Part 4

Standing Committee Meetings

SR3-2-401 Chair to preserve order -- Appeal -- Restrictions on visitors -- Disorderly conduct in committee meeting -- Closed meetings.

- (1)
 - (a) The standing committee chair shall decide points of order.
 - (b) On motion and approval by a majority vote of the committee members present, the committee may override the chair's decision on any point of order.
 - (c) The motion and action shall be entered in the standing committee minutes.
- (2)
 - (a) A visitor may not speak or address the committee unless the visitor is recognized by the standing committee chair.
 - (b) The standing committee chair may impose restrictions on the time a visitor is allowed to speak.
 - (c) A visitor, other than a House member or staff member, may not sit in senators' chairs.
- (3) The standing committee chair may order the committee room cleared of visitors if there is disorderly conduct.
- (4) A standing committee may close a committee meeting only by following the procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

SR3-2-402 Voting -- Chair to verbally announce the vote -- Dissenting members to be reported -- Division of the question.

- (1)
 - (a) A committee member present shall vote on every question.
 - (b) Although most questions will be put to voice vote:
 - (i) the standing committee chair may direct a roll call vote; or
 - (ii) a committee member may make a motion requesting a roll call vote.
- (2)
 - (a) If a question contains several points, a committee member may, except as provided in Subsection (2)(c), request to have the question divided for purposes of voting.
 - (b) The committee member requesting division of the question shall clearly state how the question is to be divided.
 - (c) A committee member may not request, and the standing committee chair may not grant, division of the question when the motion directs that language be stricken and new language be inserted.
- (3) After the committee votes on a question, the standing committee chair shall:
 - (a) determine whether the motion passed or failed;
 - (b) verbally announce that the motion passed or that the motion failed;
 - (c) verbally identify by name either the committee members who voted "yes" or the committee members who voted "no"; and
 - (d) ensure that the vote is recorded in the minutes.
- (4) Members dissenting from a committee report may file a minority report or may be listed on the majority report as dissenting.

SR3-2-403 Committee order of business.

Unless the standing committee chair or a majority of the committee determines otherwise, the standing committee order of business is:

- (1) call to order by the standing committee chair;

- (2) approval of the minutes of previous meetings;
- (3) announcement of the agenda;
- (4) announcement of time restrictions, if any;
- (5) communications, if any; and
- (6) consideration of standing committee business.

SR3-2-404 Public comment during standing committee meetings.

- (1)
 - (a) During a standing committee meeting, the chair shall receive public comment and testimony during the public comment phase of the committee meeting if a public comment portion is held.
 - (b) The standing committee chair, or a majority of the standing committee, may terminate the public comment phase of the committee meeting.
 - (c) Once the public comment phase of the committee meeting has ended, non-committee members may not provide public comment unless the standing committee chair or a majority of the standing committee authorizes additional public comment.
- (2)
 - (a) At the direction of the standing committee chair, or upon a majority vote of the standing committee, the testimony of any person speaking during the public comment phase of the committee meeting may be taken under oath.
 - (b) The standing committee chair or committee staff shall administer the oath.

SR3-2-405 Public hearings.

- (1) The standing committee chair or a majority of the committee may:
 - (a) hold a public hearing in addition to, or instead of, a regular standing committee meeting; and
 - (b) hold the public hearing as provided in Subsection (1)(a) on a single piece of legislation or on a broader subject contained in one or more pieces of legislation.
- (2) If the standing committee holds a public hearing independent of a regular standing committee meeting, the standing committee chair shall:
 - (a) give notice of the public hearing by complying with the procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and
 - (b) ensure that the notice required by Subsection (2)(a) includes the legislation to be considered.
- (3) The standing committee chair may, subject to the approval of the standing committee, adopt procedures for the orderly conduct of the hearing, including:
 - (a) limiting the time for the public hearing;
 - (b) limiting the time that individual speakers may speak; and
 - (c) directing the order in which speakers will be heard.
- (4) During a public hearing, the standing committee may request or require testimony by persons who have expertise on the legislation under discussion.
- (5)
 - (a) At the direction of the standing committee chair, or upon a majority vote of the standing committee, the testimony of any person speaking during the public hearing may be taken under oath.
 - (b) The standing committee chair or committee staff shall administer the oath.

SR3-2-406 Standing committee duties -- Process.

- (1) Each committee shall send a report to the Senate on each bill referred to it.
- (2)
 - (a) With a majority vote, a standing committee may, for each piece of legislation in its possession:
 - (i) pass the legislation out of the standing committee with a recommendation that it be placed on the second reading calendar;
 - (ii) pass the legislation out of the standing committee with a recommendation that it be placed on the third reading calendar;
 - (iii) pass the legislation out of committee with a recommendation that it be placed on the consent calendar;
 - (iv) amend the legislation;
 - (v) substitute the legislation;
 - (vi) hold the legislation, either by formal motion or by taking no action;
 - (vii) table the legislation;
 - (viii) send the legislation to the Senate Rules Committee; or
 - (ix) perform some combination of Subsections (2)(a)(i) through (viii).
 - (b) The chair shall:
 - (i) subject to SR3-2-304 and SR3-2-408, hold a bill tabled in committee until a motion is made to remove it from the table; and
 - (ii) send a tabled bill not lifted at the committee meeting after it is tabled to the secretary of the Senate for filing.
- (3) A standing committee may report a piece of legislation to the Senate with the recommendation that the legislation be placed on the consent calendar if:
 - (a) the sponsor has requested that the legislation be placed on the consent calendar;
 - (b) the committee has passed the legislation out favorably by a unanimous vote with a quorum present; and
 - (c) in a separate motion and vote, the committee has, with a quorum present, unanimously recommended that the legislation be placed on the consent calendar.
- (4) The standing committee chair shall ensure that:
 - (a) the committee sends a report to the Senate detailing its action on each piece of legislation referred to it;
 - (b) a secretary records attendance and takes minutes of committee action; and
 - (c) the record of attendance and minutes are filed in the office of the secretary of the Senate for three years.
- (5) If, in accordance with SR3-1-102, the Senate Rules Committee forwards a summary report from the Occupational and Professional Licensure Review Committee in conjunction with legislation referred to a standing committee, the chair of the standing committee shall ensure that the summary report is read orally to the standing committee before action is taken by the standing committee on the legislation that is related to the summary report.

SR3-2-407 Reconsideration of action.

- (1) Except as provided in Subsection (2), a standing committee may, by majority vote of those present, reconsider any committee action at any time before the committee report is sent to the Senate.
- (2) A standing committee may not reconsider a piece of legislation more than once.

SR3-2-408 Disposition of legislation tabled in a standing committee.

- (1) The standing committee chair shall hold any legislation tabled in a standing committee until the next committee meeting.
- (2) At that next committee meeting, the standing committee may, with a two-thirds vote, lift the tabled legislation from the table.
- (3) If the motion to lift a piece of tabled legislation is successful, the standing committee may take any of the actions on the legislation authorized by SR3-2-406(2).
- (4) The standing committee chair shall send any legislation tabled in the standing committee that is not lifted from the table at the committee meeting after tabling to the secretary of the Senate for filing.

SR3-2-409 Substitute legislation -- Substitutes must be germane.

- (1) Except as provided in Subsection (2), a committee member may, if recognized by the committee chair while the standing committee is debating a piece of legislation, make a motion to substitute the legislation.
- (2)
 - (a) The committee member making the motion to substitute shall ensure that the substitute is germane to the subject of the original legislation under consideration.
 - (b) If a committee member believes that a substitute is not germane to the subject of the original legislation, the committee member may raise a point of order alleging that the substitute is not germane.
 - (c) The committee chair shall rule on the point of order by determining whether or not the substitute is germane to the subject of the original legislation.

SR3-2-410 Amending legislation -- Amendment must be germane.

- (1)
 - (a) Except as provided in Subsection (2), a committee member may, if recognized by the standing committee chair while the committee is debating a piece of legislation, make a motion to amend the legislation.
 - (b)
 - (i) A committee member may propose a verbal amendment to a piece of legislation if the amendment contains 25 words or fewer.
 - (ii) A committee member shall ensure that a proposed amendment containing more than 25 words is printed and distributed to all committee members present and to committee staff before the amendment is proposed.
- (2)
 - (a) The committee member making the motion to amend shall ensure that the amendment is germane to the subject of the original legislation under consideration.
 - (b) If a committee member believes that an amendment is not germane to the subject of the original legislation, the committee member may raise a point of order alleging that the amendment is not germane.
 - (c) The standing committee chair shall rule on the point of order by determining whether or not the amendment is germane to the subject of the original legislation.

Part 5

Senate Standing Committee Parliamentary Procedures

SR3-2-501 Obtaining the floor in committee -- Remarks to be germane.

- (1) The standing committee chair shall recognize any committee member who wishes to speak to the subject under consideration.
- (2) Upon recognition by the standing committee chair, the committee member shall ensure that the member's remarks are germane to the subject under consideration.

SR3-2-502 Motions in committee -- General requirements and procedure.

- (1)
 - (a) Except as provided in Subsection (2), any standing committee member who is recognized by the standing committee chair may make a motion.
 - (b) A second to the motion is not required.
- (2)
 - (a) A committee member may not make:
 - (i) a motion to strike the enacting clause of a bill; or
 - (ii) a motion to circle.
 - (b) A standing committee may pass a motion to hold a bill.
- (3) The standing committee chair shall:
 - (a) restate each oral motion made by a committee member; and
 - (b) ensure that each written motion made by a committee member is distributed to the committee members.
- (4) The committee member who made a motion may withdraw the motion.

SR3-2-503 Motions in committee -- Substitute motions.

- (1) A standing committee member may, upon recognition by the standing committee chair, make a substitute motion, which, if adopted by vote of a majority of the members present, disposes of the original motion.
- (2) If the substitute motion is not adopted, the original motion is revived.
- (3) A standing committee member may not make a substitute motion if another substitute motion has been made and is pending.

SR3-2-504 Motions in committee -- Motions in order during debate.

- (1)
 - (a) When a motion or question is being debated, the standing committee chair may not accept any other motion except a motion:
 - (i) to adjourn, which is nondebatable;
 - (ii) to determine the time to which to adjourn, which is debatable;
 - (iii) to recess, which is nondebatable;
 - (iv) to end debate (call the previous question), which is nondebatable and requires a majority vote to pass;
 - (v) to refer to another committee, which is debatable;

- (vi) to extend the time for debate, which is debatable;
 - (vii) to limit debate, which is debatable;
 - (viii) to postpone to a time certain, which is debatable;
 - (ix) to table, which is nondebatable;
 - (x) to take from the table, which is nondebatable;
 - (xi) to adopt a substitute, which is debatable; or
 - (xii) to amend, which is debatable.
- (b) Points of order and appeals of the decision of the chair are not motions and are always in order.
- (c) The standing committee chair shall grant priority to the motions listed in Subsection (1)(a) according to the order in which they are listed in that subsection.
- (d) The standing committee chair shall terminate debate if the standing committee adopts a motion to end debate by a majority vote.
- (2) If a motion to postpone a piece of legislation to a day certain, to postpone a piece of legislation indefinitely, or to return a piece of legislation to the Senate Rules Committee is defeated, a committee member may not make the same motion on the same piece of legislation during the same committee meeting.

SR3-2-505 Motions in committee -- Nondebatable motions.

- (1) The standing committee chair may not allow debate on a motion:
- (a) to adjourn;
 - (b) to recess;
 - (c) to table; or
 - (d) to take from the table.
- (2) The standing committee chair shall decide all points of order arising from one of the motions identified in Subsection (1) without debate.

SR3-2-506 Motions in committee -- Motion to adjourn.

- (1) A motion to adjourn is always in order except:
- (a) when a vote is being taken;
 - (b) when a previous motion to adjourn has been defeated and no intervening business has been transacted; or
 - (c) when another committee member has the floor.
- (2)
- (a) If a motion to adjourn has been made, no substitute motion for adjournment is in order.
 - (b) A motion to adjourn may be held by the standing committee chair if the sponsor of the motion to adjourn approves.

Part 6
Senate Standing Committee Reports to the Senate

SR3-2-601 Committee reports.

- (1) When a piece of legislation is acted upon by a committee, and the legislation is not lifted from the table by the next committee meeting, the standing committee chair shall submit to the secretary of the Senate:
 - (a) the official version of the legislation; and
 - (b) a committee report detailing the committee's action signed by the standing committee chair.
- (2)
 - (a) If a piece of legislation is tabled by a committee and the legislation is not lifted from the table at the committee's next meeting, the standing committee chair shall submit a committee report to the secretary of the Senate informing the Senate that the legislation was tabled.
 - (b) After reading the committee report on the tabled legislation, the secretary of the Senate shall send the legislation to the Senate Rules Committee.

Chapter 3 Confirmation Committees

Part 1 Executive Office Confirmation Committees

SR3-3-101 Senate confirmation committees.

- (1) The president shall:
 - (a) appoint one or more Senate executive confirmation committees composed of no more than seven senators, no more than five of whom are from the same political party;
 - (b) appoint as members of the confirmation committee the Senate appropriations subcommittee chair and the Senate standing committee chair having jurisdiction over the agency or entity to which the nominee is appointed; and
 - (c) designate one senator to act as chair of the committee.
- (2) If called by the chair, the committee shall, before any Senate confirmation session:
 - (a) meet to review gubernatorial nominations to fill an executive branch position; and
 - (b) make a recommendation to the Senate to either confirm or not confirm the nominee.
- (3)
 - (a) The confirmation committee shall review the resume and qualifications of any full-time gubernatorial executive branch appointee and may interview appointees.
 - (b) If a meeting is held, the committee shall submit a committee report to the Senate in a form that identifies to the Senate the votes "for" and votes "against" confirmation.
- (4) A standing committee may close a committee meeting only by following the procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

Part 2 Judicial Confirmation Committee

SR3-3-201 Senate Judicial Confirmation Committee -- Membership.

- (1) The president shall:

- (a) appoint a Senate Judicial Confirmation Committee of no more than seven senators, no more than five of whom are from the same political party; and
 - (b) designate one senator to act as chair of the committee.
- (2) The president may not convene the Senate to consider confirmation of a judicial appointee until the Senate Judicial Confirmation Committee has submitted its recommendation.

SR3-3-202 Senate Judicial Confirmation Committee -- Confirmation process.

- (1)
- (a) The Senate Judicial Confirmation Committee shall comply with the procedures established in this rule.
 - (b) Each committee member shall ensure that records received by them that are classified "private," "protected," or "controlled" under Utah Code Title 63G, Chapter 2, Government Records Access and Management Act, are released only if the requirements of that act are met.
- (2) After the Judicial Nominating Commission announces the nominees and forwards those names to the Office of Legislative Research and General Counsel as required by Utah Code Section 20A-12-104, that office shall provide the resume of each nominee to each member of the Senate.
- (3) When the governor provides the president of the Senate with the nominees' resumes, application materials, and other related documents, the president shall provide that information to the members of the Senate Judicial Confirmation Committee.
- (4) After the governor announces the appointee and provides the information required by Utah Code Section 67-1-2:
- (a) the chair of the Senate Judicial Confirmation Committee shall direct the preparation of a news release which shall include:
 - (i) a brief description of the judicial position to be filled;
 - (ii) the name of the appointee;
 - (iii) a brief description of the functions of the Senate Judicial Confirmation Committee;
 - (iv) a request that members of the Senate wanting to make comments contact the chair or the Office of Legislative Research and General Counsel by the deadline specified in the news release, which may not be less than 10 business days after publication of the news release;
 - (v) a request that members of the public wanting to make comments contact the Office of Legislative Research and General Counsel by the deadline specified in the news release, which may not be less than 10 business days after publication of the news release; and
 - (vi) a notice that any person wanting to comment submit a written statement detailing the substance of their testimony, including the person's name, telephone number, and mailing address, to the Office of Legislative Research and General Counsel; and
 - (b) the Office of Legislative Research and General Counsel shall:
 - (i) provide the resume of the appointee and the news release described in this Subsection (4) to:
 - (A) each member of the Senate; and
 - (B) the news media, including television, radio, and the major circulation newspapers in Salt Lake City and the geographical area served by the judicial office to be filled by the appointee; and
 - (ii) provide the appointee's resume, application materials, and other related documents to each member of the Senate Judicial Confirmation Committee.
- (5)

- (a) The chair of the Senate Judicial Confirmation Committee may direct its staff to investigate:
 - (i) the background, qualifications, and fitness for judicial office of the appointee generally; and
 - (ii) specific issues raised or revealed by any member of the committee, any senator, or any member of the public, or that may arise at any time during the Senate confirmation process.
 - (b) In conducting the investigation, committee staff may contact any person or organization that might have information about the nominee's fitness for judicial office.
 - (c) The chair may direct staff to ask the governor, the chair of the Judicial Nominating Commission, or both, whether or not certain facts revealed by the investigation were known to the governor or the nominating commission at the time the candidate was considered by either of them.
- (6)
- (a) The chair of the Senate Judicial Confirmation Committee shall provide public notice of each committee meeting.
 - (b) The public notice shall include an explanation that:
 - (i) any person wanting to testify regarding the appointee shall submit a written request to testify to the Office of Legislative Research and General Counsel at least 24 hours before the meeting is scheduled to begin; and
 - (ii) portions of the meeting may be closed under Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (7) Before convening a meeting of the Senate Judicial Confirmation Committee, the chair shall:
- (a) review all written statements from persons desiring to address the committee regarding the governor's appointee;
 - (b) review all records to be distributed to the committee and classify each record as "public" or "private" by applying the standard contained in Subsection 63G-2-302(1)(f)(i);
 - (c) determine which persons making a timely request to testify under Subsection (6)(a) may address the committee; and
 - (d) if necessary, establish reasonable time limits for public comment.

SR3-3-203 Senate Judicial Confirmation Committee -- Meeting process.

- (1) In conducting the Senate Judicial Confirmation Committee meeting:
 - (a) the chair shall allow the appointee to address the committee before the committee hears any other testimony, after the last witness testifies before the committee, and before the committee makes its decision;
 - (b) the chair may hold committee meetings in the geographic area to be served by the judicial office; and
 - (c) the chair may allow testimony from any person wishing to testify, whether the person has submitted a written request to testify or not.
- (2) Before opening comments by the nominee, or at any other time during the meeting, the committee may close the committee meeting for any of the purposes outlined in Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (3) In determining whether to recommend that the nominee be confirmed or rejected by the Senate, the Senate Judicial Confirmation Committee shall:
 - (a) review the appointee's resume, application materials, and any other documents or information related to the nominee's fitness for judicial office;
 - (b) review each written statement submitted to the committee;
 - (c) interview, under oath or affirmation, each judicial appointee;
 - (d) consider the oral testimony of persons testifying to the committee;

- (e) base its decision regarding confirmation solely upon a consideration of the nominee's fitness for judicial office without regard to any partisan political consideration;
- (f) vote on whether or not to recommend confirmation of the appointee to the Senate; and
- (g) transmit its recommendation to the Senate in a form that identifies to the Senate the votes "for" and the votes "against" confirmation.

SR3-3-204 Copy to judicial nominee.

The Office of Legislative Research and General Counsel shall provide a copy of this rule to each judicial appointee seeking Senate confirmation.

SR3-3-205 Constitution takes precedence over these rules.

Nothing contained in SR3-3-201 through SR3-3-204 may be construed to limit the authority of the Senate as provided in Utah Constitution Article VIII, Section 8.

Title SR4. Senate Floor Procedures

**Chapter 1
General Provisions**

SR4-1-101 Definitions.

- (1)
 - (a) "Appropriations bill" means a bill that appropriates money and makes no change to statute.
 - (b) Notwithstanding Subsection (1)(a), "appropriations bill" includes the public education budget bills.
- (2) "Constitutional majority vote" means that the matter requires 15 votes to pass on the Senate floor.
- (3) "Constitutional two-thirds vote" means that the matter requires 20 votes to pass on the Senate floor.
- (4) "Majority vote" means that the matter requires the votes of a majority of those present to pass on the Senate floor.
- (5) "Point of order" means a question raised by a senator about whether or not there has been a breach of order, a breach of rules, or a breach of established parliamentary practice.
- (6) "Presiding officer" means the person presiding over the Senate and includes:
 - (a) the president;
 - (b) the president pro tempore; and
 - (c) any senator presiding under SR1-3-103.
- (7) "Two-thirds vote" means that the matter requires the vote of two-thirds of those present to pass on the Senate floor.

Chapter 2

General Floor Procedures for the Senate

Part 1

General Guidelines

SR4-2-101 Duties of presiding officer.

The presiding officer may:

- (1) call the Senate to order at the time scheduled for convening and proceed with the daily order of business;
- (2) announce the business before the Senate in the order that it is to be acted upon;
- (3) receive each motion and proposal presented by a senator and submit it to the Senate;
- (4) put to a vote all questions that arise in the course of proceedings and announce the results of the vote;
- (5) enforce the Senate Rules governing debates;
- (6) enforce observance of order and decorum;
- (7) inform the Senate on any point of order or practice;
- (8) receive and announce to the Senate any official messages and communications; and
- (9) sign all bills, resolutions, orders, and proceedings of the Senate.

SR4-2-102 Obtaining the floor.

- (1) When a senator wishes to be recognized to speak, the senator shall rise and address the presiding officer as:
 - (a) "Mr. (Madam) President"; or
 - (b) "Mr. (Madam) President pro temp.
- (2) If two or more senators rise at the same time to speak, the presiding officer shall decide which senator is to speak first.
- (3) After being recognized, the senator shall confine the senator's remarks to the issue under consideration.

SR4-2-103 Calling a senator to order for violation of a rule.

- (1) As used in this rule, "censure" means an official reprimand or condemnation, which, if approved by the majority of the Senate, is printed in the journal.
- (2)
 - (a) The presiding officer may call a senator to order for violating any Senate Rule or Joint Rule.
 - (b) A senator may call a senator to order for violating any Senate Rule or Joint Rule by raising a point of order under SR4-2-201.
- (3) If a senator appeals the ruling of the presiding officer, the Senate shall decide the issue after debate.
- (4)
 - (a) If the decision is favorable to the senator who has been called to order, the senator may proceed.
 - (b) If the decision is unfavorable, the senator is subject to censure by the Senate.

SR4-2-104 Calling a senator to order for conduct in debate.

- (1)
 - (a) If a senator raises a point of order for words spoken in debate, the senator raising the point of order shall repeat the words to which exception is taken.
 - (b) The secretary of the Senate shall ensure that the words to which exception is taken are recorded in the journal.
- (2) When a point of order for words spoken in debate is made, the senator who spoke the words may not continue to speak until a ruling on the point of order is made, unless the presiding officer grants that senator permission to explain the senator's words.
- (3) A senator may not be called to order or censured for words spoken in debate if there has been intervening business.

SR4-2-105 Motions in writing.

- (1) Except as provided in Subsection (2), if a senator requests that a motion be presented in writing, the presiding officer shall require that the maker of the motion prepare and submit a written motion.
- (2) The presiding officer may not require that the following motions be presented in writing:
 - (a) a motion to adjourn;
 - (b) a motion to circle;
 - (c) a motion to table; or
 - (d) a motion to refer to committee.

Part 2

Point of Order and Appeals of the Decision of the Chair

SR4-2-201 Point of order.

- (1)
 - (a) If a senator believes that there has been a breach of order, a breach of rules, or a breach of established parliamentary practice, the senator may rise and, without being recognized, state: "point of order."
 - (b) When a senator raises a point of order:
 - (i) the presiding officer shall interrupt the proceedings;
 - (ii) the senator who has the floor shall yield the floor; and
 - (iii) the presiding officer shall ask the senator raising the point of order to "state your point."
 - (c) When the presiding officer responds "state your point," the senator shall briefly explain the alleged breach to the body, citing to appropriate authority if possible.
- (2)
 - (a) The presiding officer may speak to points of order in preference to other senators rising for that purpose.
 - (b) The presiding officer may:
 - (i) rule on the point of order immediately;
 - (ii) consult with the secretary of the Senate and then rule on the point of order; or
 - (iii) defer the point of order until the presiding officer can research and rule on the point of order.
 - (c)

- (i) Although points of order are generally decided without debate, the presiding officer may submit the point of order to the Senate for decision in doubtful cases.
 - (ii) If submitted to the Senate for decision, a presiding officer shall allow debate or discussion on the point of order by recognizing members of the Senate who wish to speak to the point of order.
 - (iii) A decision by the Senate deciding a point of order is not subject to appeal.
- (3) When the presiding officer rules on the point of order, any senator who disagrees with the presiding officer's decision may appeal that decision to the Senate by following the procedures and requirements of SR4-2-202.

SR4-2-202 Appeals from the decision of the chair.

- (1) Although the tradition in the Senate is to give great weight to the rulings of the presiding officer and to not make appeals lightly, a senator who disagrees with a ruling of the presiding officer may appeal that decision to the Senate by rising and, without waiting to be recognized, saying "I appeal the decision of the chair."
- (2) When a senator appeals the decision of the chair, the presiding officer shall clearly state the decision appealed from and may state the reasons for the decision.
- (3)
 - (a) An appeal is debatable.
 - (b) A senator may not speak more than once on the appeal without leave of the Senate.
- (4) The question on appeal is: "Shall the decision of the chair stand as the judgment of the Senate?"
- (5) When a decision of the presiding officer is appealed, a majority vote of the senators present is required to override that decision.
- (6) The secretary of the Senate shall ensure that the appeal and the action of the Senate on the appeal are entered in the journal.

Chapter 3
Special Senate Floor Procedures

Part 1
Bills and Resolutions

SR4-3-101 Bills placed on calendars.

- (1)
 - (a) The secretary of the Senate shall cause each bill reported to the Senate by a Senate standing committee or the Senate Rules Committee to be placed at the bottom of the second reading calendar or on the consent calendar in the order that the bill is received.
 - (b) The presiding officer shall ensure that each bill that is placed on the second reading calendar but lacks a fiscal note is circled until the fiscal note is received.
- (2) The secretary of the Senate shall ensure that each bill on the second reading calendar that is passed by a constitutional majority vote is placed at the bottom of the third reading calendar.

SR4-3-102 Consideration of bills.

- (1) Except for the 43rd, 44th, and 45th day of the annual general session, a piece of legislation may not be read for the third time until at least the day after it is placed on the third reading calendar.
- (2) Legislation on the third reading calendar shall be considered in the order that it appears on the calendar unless a constitutional majority vote of the members of the Senate directs other action.

SR4-3-103 Reassigning legislation assigned to a standing committee.

Legislation that has been assigned to a standing committee may be assigned to the Senate Rules Committee or a different standing committee by:

- (1) the presiding officer;
- (2) the Senate by majority vote upon motion from the floor; or
- (3) the Senate by majority vote if the committee to which the legislation was assigned recommends in its committee report that the legislation be returned to the Senate Rules Committee.

SR4-3-104 Action of bills tabled in committee.

- (1)
 - (a) A senator may make a motion to lift a bill tabled in the standing committee from the secretary of the Senate or from the standing committee that has possession of the bill.
 - (b) If the motion passes by a two-thirds vote of those senators present on the floor of the Senate, the bill is placed on the Senate second reading calendar.
- (2) The president of the Senate can reassign a bill tabled in a standing committee to another standing committee.

SR4-3-105 Action on House legislation.

- (1) When a piece of House legislation is received by the Senate with a transmittal letter informing the Senate that it has passed the House, the presiding officer shall:
 - (a) have the legislation read for the first time; and
 - (b) refer it to the Senate Rules Committee.
- (2) Action on House legislation is the same as for Senate legislation.

SR4-3-106 Time limit for Senate legislation.

Except for an appropriations bill, the Senate may not consider a piece of legislation introduced by a senator after the 42nd day of the annual general session of the Legislature.

Part 2
Substitute Legislation

SR4-3-201 Substitute legislation.

- (1) A motion to adopt a substitute piece of legislation is in order on second or third reading.
- (2) The Office of Legislative Research and General Counsel shall number each substitute for recordkeeping and tracking purposes before the substitute is officially printed.

SR4-3-202 Substitute must be germane.

- (1) Except as provided in Subsection (2), a senator may, if recognized by the presiding officer while the senator is debating a piece of legislation, make a motion to substitute the legislation.
- (2)
 - (a) The senator making the motion to substitute shall ensure that the substitute is germane to the subject of the original legislation under consideration.
 - (b) If a senator believes that a substitute is not germane to the subject of the original legislation, the senator may raise a point of order alleging that the substitute is not germane.
 - (c) The presiding officer shall rule on the point of order by determining whether or not the substitute is germane to the subject of the original legislation.

Part 3
Floor Amendments

SR4-3-301 Amendments in order on second or third reading -- 10 word rule -- Passage of amendments by a majority vote.

- (1) A motion to amend a piece of legislation is in order on second or third reading.
- (2)
 - (a) Except as provided in Subsection (3) or (4), a senator may, if recognized by the presiding officer while the Senate is debating a piece of legislation, make a motion to amend the legislation.
 - (b)
 - (i) A senator may verbally propose an amendment to a piece of legislation if the amendment contains 10 words or fewer.
 - (ii) A senator shall ensure that a proposed amendment containing more than 10 words is printed and distributed to the secretary of the Senate and to all senators before the amendment is proposed.
- (3)
 - (a) The senator making the motion to amend shall ensure that the amendment is germane to the subject of the original legislation under consideration.
 - (b) If a senator believes that an amendment is not germane to the subject of the original legislation, the senator may raise a point of order alleging that the amendment is not germane.
 - (c) The presiding officer shall rule on the point of order by determining whether or not the amendment is germane to the subject of the original legislation.
- (4) A constitutional amendment, resolution, or bill requiring a constitutional two-thirds vote for final passage may be amended by a majority vote.
- (5) When legislation is amended by the Senate, the secretary of the Senate shall:
 - (a) for each page of the legislation modified by a Senate amendment, cause a new page to be printed that clearly identifies each Senate amendment to that page; and

- (b) print that new page on goldenrod-colored paper.

Chapter 4 Senate Calendars

Part 1 Second Reading Calendar

SR4-4-101 Second reading calendar.

- (1)
 - (a) After the Senate considers all legislation on the third reading calendar that is not circled or tabled, the Senate shall consider legislation on the second reading calendar as follows:
 - (i) the presiding officer shall cause each piece of legislation on the second reading calendar to be read by title before debate begins, unless the Senate suspends this requirement by a two-thirds vote;
 - (ii) the secretary of the Senate or the secretary's designee shall read the committee report, noting for the Senate those instances when the legislation did not receive a Senate standing committee review or an interim committee review;
 - (iii) if the Senate passes a motion to adopt a "favorable" committee report, the legislation, including any substitute or amendment adopted by the standing committee that is identified in the committee report, is before the Senate; and
 - (iv) the presiding officer shall allow debate on the legislation.
 - (b) If the Senate fails to pass a motion to adopt a "favorable" committee report, the legislation will be returned to the secretary of the Senate.
- (2)
 - (a) The final question on second reading is: "Shall the bill (resolution) be read a third time?"
 - (b) The presiding officer shall place the question as a roll call vote.
 - (c) If a constitutional majority of the Senate votes in favor of the motion, the legislation is passed to the third reading calendar.

Part 2 Third Reading Calendar

SR4-4-201 Third reading calendar -- Procedures.

- (1)
 - (a) For the third reading on a piece of legislation, the secretary of the Senate or the secretary's designee shall read the legislation by title, unless the Senate suspends this requirement by a two-thirds vote.
- (2) When the secretary of the Senate or the secretary's designee has completed the third reading of the legislation, the legislation is before the Senate for debate.
- (3) When debate on the legislation is complete, the presiding officer shall:

- (a) pose the final question: "This bill (resolution) has been read three times. The question is: Shall the bill (resolution) pass?"; and
- (b) place the question as a roll call vote.

SR4-4-202 Disposition of legislation voted on third reading.

- (1) Except as provided in Subsection (2), the secretary of the Senate or the secretary's designee shall:
 - (a) for a piece of Senate legislation passed by the Senate on third reading but not yet acted upon by the House, transmit the Senate legislation to the House for its further action;
 - (b) for a piece of Senate legislation that fails to pass the Senate on third reading, file the legislation;
 - (c) for a piece of Senate legislation that has passed both houses in the same form, follow the procedures and requirements of JR4-6-101(1)(b);
 - (d) for a piece of House legislation passed by the Senate on third reading and not amended or substituted in the Senate, transmit the House legislation to the presiding officer of the House for the presiding officer's signature;
 - (e) for a piece of House legislation passed by the Senate on third reading that was amended or substituted in the Senate, transmit the legislation to the House with the amendment or substitute for further action by the House; and
 - (f) for a piece of House legislation that fails to pass the Senate on third reading, transmit the legislation to the House with notice of the Senate's action.
- (2) When a senator gives notice of intention to move for reconsideration, the secretary of the Senate shall:
 - (a) record the notice in the journal; and
 - (b) keep possession of the bill until:
 - (i) the time for reconsideration has expired as provided in Title 4, Chapter 9, Reconsideration of Senate Action; or
 - (ii) the bill has been reconsidered.

Part 3
Consent Calendar

SR4-4-301 Consent calendar.

- (1) If a standing committee report recommends that a piece of legislation be placed on the consent calendar and the standing committee report is adopted by the Senate, the secretary of the Senate or the secretary's designee shall:
 - (a) read the legislation for the second time; and
 - (b) place the legislation on the consent calendar.
- (2)
 - (a) Whenever the consent calendar contains legislation, the presiding officer shall inform the Senate each day that:
 - (i) there are items on the consent calendar; and

- (ii) if any senator objects to a piece of legislation on the consent calendar, three or more senators may move the legislation to the second reading calendar by notifying the secretary of the Senate verbally or in writing.
- (b) If the secretary of the Senate receives requests to move a piece of legislation from the consent calendar to the second reading calendar from three or more senators, the secretary shall:
 - (i) remove the legislation from the consent calendar; and
 - (ii) place the legislation at the bottom of the second reading calendar.
- (3) If, after three days during which the Senate has floor time, no more than two members have registered objections to the legislation, the legislation shall be:
 - (a) read the third time;
 - (b) placed before the Senate; and
 - (c) considered for final passage.
- (4)
 - (a) The presiding officer shall pose the question on each consent calendar bill in the following form:

"The presiding officer has determined that a quorum is present.
Those who favor the question say, 'aye.'
Does the chair hear a single dissenting nay to the question?"
 - (b) If the presiding officer hears no nays to the question, a unanimous vote of the senators present shall be recorded in favor of the legislation.
 - (c) If the presiding officer hears any nays to the question, a roll call vote shall be taken immediately.
- (5) Notwithstanding the requirements of Subsection (4), any senator may, before the roll call vote is taken, make a motion to remove the bill from the consent calendar and place it on the bottom of the third reading calendar.
- (6) Nothing in this section prevents a senator from challenging the ruling of the chair or asking for a vote on any question.

Part 4

Concurrence Calendar

SR4-4-401 Concurrence calendar.

- (1) After the secretary of the Senate or the secretary's designee reads the transmittal letter from the House informing the Senate that the House has amended or substituted a piece of Senate legislation, the presiding officer shall place the legislation on the concurrence calendar.
- (2)
 - (a) During the first 43 days of the annual general session, the legislation shall remain on the concurrence calendar over at least one night before the Senate may consider the question of concurrence.
 - (b) During the last two days of the annual general session and during any special session, the Senate may consider legislation for concurrence after the Senate has been given a reasonable time to review the House changes.
- (3)

- (a) When presenting legislation to the Senate for concurrence, the presiding officer shall ask the sponsor of the legislation for a motion.
- (b) The sponsor of the legislation may move to either:
 - (i) concur with the House amendments; or
 - (ii) refuse to concur with the House amendments and ask the House to recede from their amendments.
- (c) If a motion to concur with the House amendments passes by majority vote, the presiding officer shall:
 - (i) pose the question: "This bill (resolution) has been read three times. The question is: Shall the Senate concur with the House amendments?"; and
 - (ii) take the final roll call vote on the legislation.
- (d) If a motion to refuse to concur with the Senate amendments and ask the Senate to recede from their amendments passes by a majority vote, the secretary of the Senate shall return the legislation to the House for its further action.
- (e) If the House refuses to recede, the Senate and House shall follow the procedures and requirements of JR3-2-601 relating to the appointment of a conference committee.

Part 5

Time Certain Calendar

SR4-4-501 Time certain calendar.

The secretary of the Senate or the secretary's designee shall place on the time certain calendar legislation or other matters approved by the Senate for a time certain under:

- (1) SR1-5-301; or
- (2) other rules allowing matters to be set for a time certain.

Chapter 5

Committee of the Whole

SR4-5-101 Committee of the whole -- Purpose -- Process.

- (1) Because only members of the Senate may speak to the Senate while the Senate is conducting business on the floor, the Senate must resolve itself into a committee of the whole in order to allow nonmembers to address the Senate.
- (2) The Senate may resolve itself into a committee of the whole if:
 - (a) a senator makes a motion for the Senate to resolve itself into a committee of the whole; and
 - (b) the motion is approved by a majority vote of those present.

SR4-5-102 Procedure in committee of the whole.

- (1) The presiding officer shall chair and preside over the committee of the whole.
- (2) Senate Rules apply in the committee of the whole, except that:
 - (a) a senator may not speak more than twice on the same subject;

- (b) roll call votes are out of order during a committee of the whole; and
- (c) a senator may not appeal the decision of the chair.

SR4-5-103 Motion to dissolve committee of the whole.

A motion to dissolve a committee of the whole is always in order and is nondebateable.

Chapter 6

Senate Floor Parliamentary Procedures

Part 1

General Requirements

SR4-6-101 Obtaining the floor in the Senate -- Remarks to be germane.

- (1) A senator may speak to the subject under consideration if the senator is recognized by the presiding officer.
- (2) Upon recognition by the presiding officer, the senator shall ensure that the senator's remarks are germane to the subject under consideration.

SR4-6-102 Motions on the floor -- General requirements and procedures.

- (1)
 - (a) A senator who is recognized by the presiding officer may make a motion.
 - (b) A second to the motion is not required.
- (2) The presiding officer shall restate each oral motion made by a senator.
- (3)
 - (a) After a motion is stated by the presiding officer, it is in the possession of the Senate.
 - (b) The motion may be withdrawn by the senator who made it or by a majority vote of the Senate.

SR4-6-103 Sponsor may open and close debate.

After coming to a piece of legislation on a calendar or after accepting a motion, the presiding officer shall recognize the chief sponsor of the piece of legislation or of the motion and allow the chief sponsor to open and close debate on the legislation or motion.

SR4-6-104 Interruptions and questions.

- (1) A senator may not interrupt or question another senator in debate without that senator's consent.
- (2)
 - (a) To obtain consent, the querying senator shall address the presiding officer and ask if the senator speaking will yield the floor to a question or series of questions.
 - (b) If the senator speaking consents to yield the floor to a question or series of questions, the presiding officer shall allow the querying senator to ask the question or questions.

- (c) If the senator speaking declines to yield the floor to a question or series of questions, the presiding officer:
 - (i) shall inform the querying senator that the senator speaking has declined; and
 - (ii) may not allow the querying senator to ask a question or series of questions.

SR4-6-105 Senators not to speak more than twice -- Maximum speaking time.

- (1) Without permission from the Senate, a senator may not speak more than twice on the same piece of legislation, substitute legislation, or amendment in any one debate on the same day and on the same reading of the legislation.
- (2)
 - (a) Except as provided in Subsection (2)(b), the presiding officer may not grant a senator who has spoken once permission to speak again on the same piece of legislation if any senator who has not spoken wishes to speak.
 - (b) The presiding officer may grant a senator who has spoken once permission to respond to a question if the senator consents to a request that the senator yield to a question under SR4-6-104.

SR4-6-106 Order of action.

If a senator makes a motion to amend or substitute legislation during debate on second or third reading, the presiding officer shall ensure that the Senate debates and passes or defeats the motion to amend or substitute before allowing debate and action on the legislation itself.

SR4-6-107 Substitute motions.

- (1) A senator may, upon recognition by the presiding officer, make a substitute motion, which, if adopted by vote of a majority of the Senate, disposes of the original motion.
- (2) If the substitute motion is not adopted, the original motion is revived.
- (3) A senator may not make a substitute motion if another substitute motion has been made and is pending.

SR4-6-108 Dividing a motion or question.

- (1)
 - (a) Except as provided in Subsection (1)(b)(i), if a motion or a question in debate contains several points, a senator may ask to have the question divided for purposes of the vote.
 - (b)
 - (i) A motion to strike out and insert is not subject to division.
 - (ii) Notwithstanding Subsection (1)(b)(i), the rejection of a motion to strike out and insert one proposition does not preclude a motion to strike out and insert a different proposition.
- (2) The request to divide shall clearly state how the motion or question is to be divided.
- (3)
 - (a) The presiding officer shall determine how many divisions may be made to any motion or question.
 - (b) The Senate may seek to overrule the chair's decision only once.

SR4-6-109 Motions in order during debate.

- (1)
 - (a) When a motion or question is being debated, the presiding officer may not accept any other motion except a motion:
 - (i) to adjourn, which is nondebatable;
 - (ii) to determine the time to adjourn, which is debatable;
 - (iii) to recess, with the senator having the floor retaining the floor when the Senate reassembles, which is nondebatable;
 - (iv) to call the Senate;
 - (v) to refer to a committee, which is debatable;
 - (vi) to table, which is debatable;
 - (vii) to lift from the table, which is debatable;
 - (viii) to circle, which is debatable;
 - (ix) to postpone to a time certain, which is debatable;
 - (x) to strike the enacting clause, which is debatable;
 - (xi) to adopt a substitute, which is debatable; or
 - (xii) to amend, which is debatable.
 - (b) Points of order and appeals of the decision of the presiding officer are not motions and are always in order.
 - (c) The presiding officer shall grant priority to the motions listed in Subsection (1)(a) according to the order in which they are listed in that rule.
- (2) A senator may not make, and the presiding officer may not accept, a motion for the previous question, which is a call for an end to debate and a vote on the matter under discussion.
- (3) If a motion to postpone a piece of legislation to a day certain or a motion to refer a piece of legislation to a committee is defeated, a senator may not make the same motion on the same piece of legislation during the same reading of the legislation.
- (4) When a motion to refer to committee, to postpone indefinitely, to postpone to a time certain, or to table is made, the presiding officer may not allow consideration of amendments or debate on the main question.

SR4-6-110 Nondebatable motions.

- (1) The presiding officer may not allow debate on a motion:
 - (a) to adjourn; or
 - (b) to recess.
- (2) The presiding officer shall decide all points of order arising from one of the above motions without debate.

Part 2 Specific Motions

SR4-6-201 Motion to adjourn.

A motion to adjourn is always in order except:

- (1) when a vote is being taken;

- (2) when a previous motion to adjourn has been defeated and no intervening business has been transacted; or
- (3) when another senator has the floor.

SR4-6-202 Motion to circle.

- (1) A motion to circle a piece of legislation holds the legislation in place on the calendar.
- (2)
 - (a) A motion to circle preserves all amendments or substitutes to the legislation already adopted by the Senate.
 - (b) A motion to circle extinguishes all amendments or substitutes pending at the time that the motion is made.
- (3) When a motion to uncircle is made:
 - (a) amendments, substitutes, or both that were already adopted by the Senate are part of the legislation; and
 - (b) any amendments or substitutes that were being discussed at the time the legislation was circled are extinguished and a new motion to amend or substitute must be made in order to revive them.

SR4-6-203 Motion to strike the enacting clause.

- (1) When a motion to strike the enacting clause passes by a constitutional majority, the bill from which the enacting clause was stricken is dead and may not be revived.
- (2) Nothing in this rule precludes a senator from introducing a new bill identical to the bill whose enacting clause was struck.

Chapter 7 Voting

Part 1 General Requirements

SR4-7-101 Definitions.

- (1) "Roll call vote" means a verbal voting process where:
 - (a) the secretary of the Senate or the secretary's designee verbally calls the name of each senator alphabetically, except the president, who is called last;
 - (b) each senator present votes "aye" or "nay" when the senator's name is called;
 - (c) the secretary of the Senate or the secretary's designee:
 - (i) tallies the vote;
 - (ii) records those senators who are absent or not voting; and
 - (iii) gives a copy of the tally to the presiding officer; and
 - (d) the presiding officer announces the result of the vote.
- (2) "Voice vote" means a verbal voting process where the presiding officer:

- (a) poses the question to be voted upon in this form: "Those in favor (of the question) say 'aye'." and "Those opposed say 'nay'."; and
- (b) based upon the senator's responses, announces that the question either passed or failed.

SR4-7-102 Number of votes required for passage.

- (1) Unless otherwise specified in these rules:
 - (a) each piece of legislation requires a constitutional majority vote -- 15 votes -- to pass;
 - (b) amendments to the Utah Constitution, amendments to court rules, and certain motions specified in these rules require a constitutional two-thirds vote -- 20 votes -- to pass;
 - (c) legislation that is intended to take effect earlier than 60 days after adjournment of the session in which it passes requires a constitutional two-thirds vote -- 20 votes -- to pass with that immediate effective date;
 - (d) certain motions require a two-thirds vote -- two-thirds of those present -- to pass; and
 - (e) other motions require a majority vote -- a majority of those present -- to pass.
- (2) The Senate may only suspend a rule requiring that a motion must receive a two-thirds vote or a constitutional two-thirds vote to pass by a two-thirds vote.

SR4-7-103 Senators present required to vote.

- (1)
 - (a) A senator present within the Senate chamber when a vote is being taken shall vote.
 - (b) A senator shall vote within the time limit fixed by the presiding officer.
 - (c) Immediately before a roll call vote or when casting a roll call vote, a senator may, upon recognition by the presiding officer, make a brief statement explaining any conflict of interest.
 - (d) With the permission of the presiding officer, a senator may briefly explain a vote.
- (2)
 - (a) A senator may not vote on a piece of legislation or motion unless the senator is present in the Senate chamber.
 - (b) If the vote is a roll call vote or division, a senator entering the chamber after the question is posed and before the presiding officer announces the result, may have the question stated and vote.

SR4-7-104 Disturbing Senate staff during voting prohibited.

While a roll call vote is being taken, a person may not disturb or remain by the desks of the secretary of the Senate, the docket clerk, the reading clerk, the voting machine operator, or the public address system operator.

SR4-7-105 Changing vote before vote is closed.

A senator may change the senator's vote before the presiding officer announces the result.

SR4-7-106 Voting or changing vote after the vote is announced.

After the vote is announced, a senator may not vote or change the senator's vote unless:

- (1) there is unanimous consent of the senators present; and
- (2) the result of the vote is not changed.

Part 2

Voting Process

SR4-7-201 Means of voting -- Requirements.

- (1) The presiding officer shall ensure that the vote on final passage of a piece of legislation is taken by roll call vote.
- (2) The presiding officer shall conduct a roll call vote on other questions if requested by a senator.
- (3) During a roll call vote, the presiding officer may not accept a motion or other business, except for a request from a senator to disclose a conflict of interest or to explain the senator's vote, until after the presiding officer announces the result of the vote.

SR4-7-202 Placing the question -- Voice vote -- Division.

- (1) The presiding officer shall place all questions other than those identified in SR4-7-201 by voice vote.
- (2) After taking a voice vote, if the presiding officer is in doubt about which side prevailed, the presiding officer may require the Senate to vote by roll call vote.
- (3) If the presiding officer questions the result of the count, or if a senator calls for division, the presiding officer shall require that those voting aye stand and be counted first, followed by those voting nay standing and being counted.

Chapter 8

Call of the Senate

SR4-8-101 Definitions.

"Call of the Senate" means the process by which the Senate may compel absent senators to be present in the Senate chamber.

SR4-8-102 Initiating a call of the Senate.

- (1) Subject to the requirements of this rule, a senator may demand a call of the Senate by standing and verbally stating "call of the Senate."
- (2) After a senator demands a call of the Senate, the presiding officer shall say: "It requires at least five senators to require a call of the Senate. Will those in favor of the call please stand?"
- (3) If the presiding officer determines that five or more senators demand a call of the Senate, the presiding officer shall order the call.

SR4-8-103 Effect of call of the Senate.

- (1) Except for receiving and acting on the report of the sergeant-at-arms under SR4-8-105, the Senate may not transact any business during a call of the Senate.

(2)

- (a) During a call of the Senate, the presiding officer shall declare out of order each motion except:
 - (i) a motion to adjourn; or
 - (ii) a motion to lift the call of the Senate.
- (b) The motions identified in Subsection (2)(a) must receive a majority vote from the senators present to pass.

SR4-8-104 Process for conducting a call of the Senate.

- (1) During a call of the Senate:
 - (a) a senator present in the chamber may not leave the chamber; and
 - (b) the sergeant-at-arms or the sergeant's designees shall close the doors to the Senate chamber.
- (2) After ordering the call of the Senate, the presiding officer may:
 - (a) in consultation with the secretary of the Senate, identify any absent senators; and
 - (b) provide the sergeant-at-arms with the names of those senators who are absent but who have not asked to be excused.
- (3) The sergeant-at-arms or the sergeant's designees shall:
 - (a) search for the absent senators;
 - (b) if they are found, escort them to the Senate chamber; and
 - (c) make a report to the Senate about the sergeant's efforts.

SR4-8-105 Lifting the call of the Senate.

- (1) The sergeant-at-arms may make a report on the call at any time.
- (2)
 - (a) If, based upon the sergeant-at-arms' report, the presiding officer determines that all senators are present or accounted for, the presiding officer may:
 - (i) order the call to be lifted without motion; or
 - (ii) recognize a senator for a motion to lift the call of the Senate.
 - (b) If the motion is approved by a majority of those present, the call of the Senate is lifted.
 - (c) If the motion is not approved, the sergeant-at-arms and the sergeant's designees shall continue searching for the absent senators.
- (3) After the call is lifted:
 - (a) the sergeant-at-arms and the sergeant's designees shall open the doors of the Senate chamber; and
 - (b) the Senate shall proceed with the order of business that was pending when the call was ordered.

Chapter 9

Reconsideration of Senate Action

SR4-9-101 Motion to reconsider.

- (1) As used in this section, "legislative day" means a day when the Senate convenes in the Senate chamber and conducts Senate business.
- (2)
 - (a) Except as provided in Subsection (3), when a question has been decided on the floor of the Senate, a senator voting with the prevailing side may:
 - (i) move for reconsideration after intervening business; or
 - (ii) give notice that a motion for reconsideration will be made.
 - (b) If a motion for reconsideration is made on the floor of the Senate after a piece of legislation has left the possession of the Senate, the secretary of the Senate shall request that the legislation be returned to the Senate.
 - (c) The presiding officer shall rule a motion for reconsideration out of order unless the motion is made:
 - (i) before the 43rd legislative day;
 - (ii) before the Senate adjourns on the legislative day after the legislative day on which the action sought to be reconsidered occurred; and
 - (iii) by a senator who previously served notice.
- (3) A senator may not make a motion to reconsider after the 42nd day of the annual general session of the Legislature.

SR4-9-102 Notice of motion to reconsider.

When a senator gives notice that the senator intends to make a motion to reconsider, the secretary of the Senate or the secretary's designee shall:

- (1) ensure that the notice is recorded in the journal; and
- (2) retain the legislation in the possession of the Senate until the time for reconsideration has expired or until the legislation has been reconsidered.

SR4-9-103 Rules governing motions to reconsider.

- (1) A motion to reconsider a vote on the final passage of a piece of legislation requires approval by a constitutional majority of senators.
- (2) Upon adoption of a motion to reconsider, the secretary of the Senate shall ensure that the legislation is placed at the top of the calendar on which it last appeared.
- (3) The Senate may not reconsider a piece of legislation more than once.

Title SR5. Lobbyist Ethics and Enforcement

Chapter 1 General Provisions

SR5-1-101 Definitions.

As used in this Senate Rule:

- (1)
 - (a) "Government official" means:

- (i) an individual elected to a position in state or local government when acting within the individual's official capacity; or
- (ii) an individual appointed to or employed in a full-time or part-time position by state or local government when acting within the scope of employment or within the individual's official capacity.
- (b) "Government official" does not mean a member of the legislative branch of state government.
- (2) "Lobbyist" has the meaning identified in Utah Code Section 36-11-102.
- (3)
 - (a) "Volunteer lobbyist" means a person not registered as a lobbyist who engages in lobbying within the meaning of Utah Code Section 36-11-102.
 - (b) "Volunteer lobbyist" does not mean an individual who appears on the individual's own behalf to engage in lobbying within the meaning of Utah Code Section 36-11-102.

Chapter 2

Lobbyist Ethics

SR5-2-101 Lobbyist code of ethics.

A lobbyist, volunteer lobbyist, or government official may not:

- (1) attempt to influence any legislator or legislative employee by means of deceit or by threat of violence or economic or political reprisal against any person or property, with intent by doing so to alter or affect the legislator's or legislative employee's decision, vote, opinion, or action concerning any matter that is to be considered or performed by the legislator, the legislative employee, or the agency or body of which the legislator or employee is a member;
- (2) knowingly provide false information to any legislator or legislative employee as to any material fact pertaining to any legislation;
- (3) knowingly omit, conceal, or falsify in any manner information required by the lobbyist registration and lobbyist disclosure reports;
- (4) participate in leadership races of the Senate;
- (5) cause or influence the introduction of any bill or amendment for the purpose of afterwards becoming employed to secure its passage or defeat;
- (6) engage in workplace discrimination or harassment, or in behavior that violates the Legislature's workplace harassment policy;
- (7) offer employment that would require or induce a legislator or legislative employee to disclose records classified as private, protected, or controlled;
- (8) use or disclose for any purpose any records classified as private, protected, or controlled that were obtained from a legislator or legislative employee or conspire with any person for that purpose; or
- (9) induce or seek to induce any legislator or legislative employee into committing a violation of any provision of this Senate Rule.

Chapter 3

Enforcement of Lobbyist Code of Ethics

SR5-3-101 Enforcement -- Written complaint.

- (1) To initiate an ethics complaint against a lobbyist, volunteer lobbyist, or government official who has violated the lobbyist code of ethics established in SR5-2-101, either two senators from one party and one senator from another party, or five senators, shall sign and file a written complaint with the president of the Senate.
- (2) The written complaint shall contain:
 - (a) the name of each of the senators who is filing the complaint;
 - (b) the name of the lobbyist, volunteer lobbyist, or government official who is the subject of the complaint;
 - (c) the nature of the alleged violation, citing specifically to the provisions of SR5-2-101 that the lobbyist, volunteer lobbyist, or government official is alleged to have violated;
 - (d) all documents that support the complaint as an attachment to it; and
 - (e) any facts alleged to support the complaint.
- (3)
 - (a) Any complaint filed under this rule is a protected record under Utah Code Title 63G, Chapter 2, Government Records Access and Management Act, until referred to the investigating committee for action, because disclosure of the information in the complaint would constitute a clearly unwarranted invasion of personal privacy and that disclosure is not in the public interest.
 - (b) Any complaint filed under this rule that is withdrawn by the complainants is a protected record under Utah Code Title 63G, Chapter 2, Government Records Access and Management Act, because disclosure of the information in the complaint would constitute a clearly unwarranted invasion of personal privacy and that disclosure is not in the public interest.

SR5-3-102 Enforcement -- Meeting of the parties and witnesses.

- (1) After receiving the complaint, the president shall meet with the legislators who filed the complaint, the lobbyist, volunteer lobbyist, or government official who is the subject of the complaint, and any other persons who have relevant information about the complaint.
- (2) If, after that meeting, all of the senators who signed the complaint wish to proceed with the complaint, they shall, within 14 calendar days from the date of the meeting, send a letter to the president requesting that the president appoint a committee to investigate the complaint.

SR5-3-103 Enforcement -- Investigating committee.

- (1)
 - (a) Within 14 calendar days after receipt of a letter requesting the appointment of a committee to investigate the complaint, the president shall:
 - (i) appoint a committee composed of five members, three from the majority party and two from the minority party, to investigate the complaint; and
 - (ii) designate one senator as the committee chair.
 - (b) The president may not appoint a senator who signed the complaint to the investigating committee.
- (2)
 - (a) The chair of the committee shall schedule a committee meeting to investigate the complaint.
 - (b)

- (i) The committee shall comply with the procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act, including the procedures and requirements for closing a meeting.
- (ii) The Office of Legislative Research and General Counsel shall staff the committee.
- (c)
 - (i) At the hearing, the committee shall review the complaint.
 - (ii) The committee may allow the legislators who filed the complaint to address and be questioned by the committee.
 - (iii) The committee shall provide the lobbyist, volunteer lobbyist, or government official who is the subject of the complaint with the opportunity to address and be questioned by the committee.
 - (iv) The committee may allow other persons with information relevant to the complaint to address and be questioned by the committee.
- (v)
 - (A) The complainants, the lobbyist, volunteer lobbyist, or government official, and any witness appearing before the committee, may have legal counsel present.
 - (B) That counsel may privately advise their client about the client's legal rights when specifically requested to do so by their client, but may not address the committee, ask questions of any party or witness, or engage in oral arguments with the committee.
 - (C) If counsel fails to abide by any of these rules, the committee may exclude the counsel from the meeting.
 - (D) Upon completion of the investigation, the committee shall report to the president, recommending what action, if any, should be taken against the lobbyist, volunteer lobbyist, or government official.
- (3) The president, after reviewing the committee's recommendation, may take appropriate action.